

LAW OFFICE OF TODD D. LERAS

Todd D. Leras, CA SBN 145666

455 Capitol Mall, Suite 802

Sacramento, California 95814

(916) 504-3933

toddleras@gmail.com

Attorney for Defendant

JOSE MAYO RODRIGUEZ

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSE ENCARNACION MAYO RODRIGUEZ,
SYLVIA ZAMBRANO, YESENIA LOPEZ,
MARIA LUISA ESCAMILLA LOPEZ, JUAN
CHAVARRIA, JUAN RAMON LOPEZ,
NEREYDA ALVAREZ, PHILLIP ALLEN
BAILEY, and CHARLES JAMES
BILLINGSLEY,

Defendants.

Case No.: 2:19-cr-231 WBS

STIPULATION AND ORDER
CONTINUING STATUS CONFERENCE
AND EXCLUDING TIME UNDER THE
SPEEDY TRIAL ACT

Date: January 25, 2021

Time: 9:00 a.m.

Court: Hon. William B. Shubb

This is a case charging conspiracy to distribute methamphetamine and heroin. It is presently set for status conference involving all nine defendants on January 25, 2021. The government has provided voluminous discovery consisting of more than 4400 pages of material, including hours of video and audio recordings.

ORDER CONTINUING STATUS
CONFERENCE

1 Many of the events at issue in the case occurred in San Joaquin County, with additional
2 matters occurring in Southern California and the San Francisco Bay Area. Defense investigation
3 into the charged events can fairly be characterized as state-wide in scope.
4

5 During most of the period that this case has been pending national events related to the
6 spread of COVID-19 occurred. Federal and state authorities have issued directives designed to
7 address the pandemic. These directives have hampered the ability of the defense to conduct
8 investigation as to potential defenses in this matter. Additional time is therefore required for
9 defense investigation into matters charged in the Indictment.
10

11 The parties to this action, Plaintiff United States of America by and through Assistant
12 United States Attorney Cameron Desmond, and Attorney Todd Leras on behalf of Defendant
13 Jose Mayo Rodriguez, Attorney Christopher Cosca on behalf of Defendant Sylvia Zambrano,
14 Attorney Brian Andritch on behalf of Defendant Yesenia Lopez, Attorney Dina Santos on behalf
15 of Defendant Maria Escamilla Lopez, Attorney Armando Villapudua on behalf of Defendant
16 Juan Chavarria, Attorney Philip Cozens on behalf of Defendant Juan Lopez, Attorney David
17 Garland on behalf of Defendant Nereyda Alvarez, Attorney Michael Chastaine on behalf of
18 Defendant Phillip Bailey, and Attorney Johnny Griffin, III, on behalf of Defendant Charles
19 Billingsley, stipulate as follows:
20

- 21 1. By this stipulation, Defendants now move to vacate the status conference presently
22 set for January 25, 2021. The parties request to continue the status conference to May
23 3, 2021, at 9:00 a.m., and to exclude time between January 25, 2021 and May 3, 2021,
24 inclusive, under Local Code T-4. The United States does not oppose this request.
25

- 26 2. Based on the above-stated facts regarding the volume of discovery and the time
27

28 ORDER CONTINUING STATUS
CONFERENCE

required for defense investigation, the parties jointly request that the Court find that the ends of justice served by continuing the case as requested outweigh the best interest of the public and the Defendants in a trial within the time prescribed by the Speedy Trial Act.

3. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, *et seq.*, within which trial must commence, the time period of January 25, 2021 to May 3, 2021, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), and (B) (iv) [Local Code T-4] because it results from a continuance granted by the Court at Defendants' request on the basis that the ends of justice served by taking such action outweigh the best interest of the public and the Defendants in a speedy trial.
4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

Assistant U.S. Attorney Cameron Desmond and all defense counsel have reviewed this proposed order and authorized Todd Leras to sign it via email or phone confirmation on their behalf.

DATED: January 19, 2021

By /s/ Todd D. Leras for
CAMERON DESMOND
Assistant United States Attorney

DATED: January 19, 2021

By /s/ Todd D. Leras
TODD D. LERAS
Attorney for Defendant
JOSE MAYO RODRIGUEZ

DATED: January 19, 2021

ORDER CONTINUING STATUS
CONFERENCE

By /s/ Todd D. Leras for
CHRISTOPHER R. COSCA
Attorney for Defendant
SYLVIA ZAMBRANO

DATED: January 19, 2021

By /s/ Todd D. Leras for
BRIAN ANDRITCH
Attorney for Defendant
YESENIA LOPEZ

DATED: January 19, 2021

By /s/ Todd D. Leras for
DINA L. SANTOS
Attorney for Defendant
MARIA ESCAMILLA LOPEZ

DATED: January 20, 2021

By /s/ Todd D. Leras
ARMANDO VILLAPUDUA
Attorney for Defendant
JUAN CHAVARRIA

DATED: January 20, 2021

By /s/ Todd D. Leras for
PHILIP COZENS
Attorney for Defendant
JUAN RAMON LOPEZ

DATED: January 19, 2021

By /s/ Todd D. Leras for
DAVID GARLAND
Attorney for Defendant
NEREYDA ALVAREZ

DATED: January 20, 2021

By /s/ Todd D. Leras for
MICHAEL CHASTAINE
Attorney for Defendant
PHILLIP BAILEY

DATED: January 19, 2021

ORDER CONTINUING STATUS
CONFERENCE

By /s/ Todd D. Leras for
JOHNNY GRIFFIN, III
Attorney for Defendant
CHARLES BILLINGSLEY

ORDER

BASED ON THE REPRESENTATIONS AND STIPULATION OF THE PARTIES, it is hereby ordered that the status conference in this matter, scheduled for January 25, 2021, is vacated. A new status conference is scheduled for May 3, 2021, at 9:00 a.m. The Court further finds, based on the representations of the parties and Defendants' request, that the ends of justice served by granting the continuance outweigh the best interests of the public and the Defendants in a speedy trial. Time shall be excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(B)(iv) and Local Code T-4, to allow necessary attorney preparation taking into consideration the exercise of due diligence for the period from January 25, 2021, up to and including May 3, 2021.

IT IS SO ORDERED.

DATED: JANUARY 20, 2021



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE

ORDER CONTINUING STATUS
CONFERENCE